

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY SMITH,)	
)	
Plaintiff,)	Civil Action No. 06-831
)	
v.)	Judge Conti
)	Magistrate Judge Caiazza
WILLIAM SHOUPPE, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Anthony Smith's civil rights complaint was received on June 23, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on January 12, 2007, recommended that the Defendants' Motions to Dismiss be granted. The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Dallas. Objections were due on or before January 29, 2007. None have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 1st day of February, 2007,

IT IS HEREBY ORDERED that the Defendants' Motions to Dismiss

(Docs. 17, 30 and 36) are GRANTED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 41), dated January 12, 2007, is adopted as the opinion of the court.

s/Joy Flowers Conti
Joy Flowers Conti
U.S. District Court Judge

cc: Anthony Smith, EY-9164
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Dallas, PA 18612

Counsel of record.